

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**August 5, 2013**  
**7:00 p.m.**

**MEMBERS PRESENT:** Linda Morse, Vice-Chairperson; Phil Anderson; John Ball; Jerry Reynard; Ron Hageman; and, Mike Kratochvil.

**MEMBERS ABSENT:** Gary Stith, Chairperson

**STAFF PRESENT:** Eric Cattell, Assistant Director for Planning; Lance Evans, Senior Planner; Steve Zilkie, Senior Planner; Chad Bungler, Planner II; Kevin Credit, Planner; Chase Johnson, Planning Intern; and Rob Ott, City Engineer

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF THE JULY 15, 2013, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

Ball moved that the Board approve the Consent Agenda. Reynard seconded the motion, which passed on a vote of 6-0.

**GENERAL AGENDA**

**A PUBLIC HEARING TO CONSIDER REZONING TWO TRACTS OF LAND: TRACT 1 FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT, AND TRACT 2 FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT WITH TNO, TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICT, BOTH TRACT 1 AND TRACT 2 TO C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT. THE TRACTS ARE GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF BLUEMONT AVENUE AND N. 4<sup>TH</sup> STREET. (APPLICANT: MCDONALDS USA LLC (HOWARD JOHNSON)/OWNERS: MCDONALD'S CORPORATION, A DELAWARE CORPORATION; MARK A. STREMEL, TRUSTEE OF THE AMS REAL ESTATE TRUST UNDER AGREEMENT DATED MARCH 4, 2003; AMS REAL ESTATE TRUST UNDER AGREEMENT DATED MARCH 4, 2003; CLARK E. LINDERS; CLARK E. LINDERS AND CHRISTY E. LINDERS; AND CITY OF MANHATTAN)**

**A PUBLIC HEARING TO CONSIDER THE PROPOSED CONCURRENT PLAT OF THE MCD ADDITION, GENERALLY LOCATED NORTH OF BLUEMONT AVENUE, SOUTH OF VATTIER STREET, EAST OF N. 4<sup>TH</sup> STREET, AND WEST OF N. 3<sup>RD</sup> STREET. (APPLICANT: MCDONALDS USA LLC (HOWARD JOHNSON)/OWNERS: MCDONALD'S CORPORATION, A DELAWARE CORPORATION; MARK A. STREMEL, TRUSTEE OF THE AMS REAL ESTATE TRUST UNDER AGREEMENT DATED MARCH 4, 2003; AMS REAL ESTATE TRUST UNDER AGREEMENT DATED MARCH 4, 2003; CLARK E. LINDERS; AND CLARK E. LINDERS AND CHRISTY E. LINDERS)**

Zilkie presented the staff reports and recommended approval of the rezoning and concurrent plat.

Ball asked for clarification on the staff report in regards to the separate application for rezoning to be approved. Zilkie explained the process for the rezoning of the two tracts.

Anderson asked if the potential extension of McCall Road was accounted for in the traffic study done by the applicant. Zilkie deferred the question to the applicant and generally explained the status of the McCall Road expansion project.

Morse asked about sidewalks being included in the project. Zilkie confirmed that there will be sidewalks around the entire project.

Morse asked about the utility reconfiguration with the closure of the alley and who will pay for the relocation costs. Zilkie said that there is a transportation development district agreement and will let the applicant explain the details.

Morse asked if the median on Bluemont Avenue will restrict a left turn into the site from the east bound lane. Zilkie stated that the intent of the median is to restrict a left turn into the site.

Morse asked about the citizen comments in the email that had been submitted. Zilkie deferred the question to the applicant.

Mark Bachamp, Olsson Associates, explained the transportation development district agreement and that the sales generated from the applicant will pay for the site improvements. Bachamp then said that the median on Bluemont Avenue will restrict a left turn into the site and that there will be a dedicated left turn lane on Fourth Street. Bachamp said that the McCall extension was not analyzed for future conditions in the traffic analysis.

Howard Johnson, McDonalds Corporation, said that the site will be open twenty-four hours and asked for clarification on the citizen comments regarding restrooms and trash receptacles on the site.

Bachamp clarified the comments for Johnson.

Johnson said that the restrooms will be unavailable after the lobby is closed and that there will be new trash receptacles throughout the site.

Anderson commented that the issue in regards to the restrooms may have to do with the location of the current McDonalds and suggested that the new location might remedy the problem.

Johnson agreed with the comments and said that the area will be well illuminated.

Ball asked if there are plans for the lot that is being vacated where the current store is located. Johnson said there are no plans at this time.

Morse asked for the distance from the round-a-bout on Bluemont Avenue to the Fourth Street entrance into the site. Bachamp said that it is about 315 feet.

Derrick Roberson, Arthur-Green LLP, representing the applicant, commented that he is involved with the development agreement and is present to answer any legal questions.

Morse opened the public hearing.

Ann Kosch, 405 & 409 Vattier Street, expressed her concerns with the increase in traffic congestion and the neighborhood changing to the C-5 District with no transition of buffer, indicating that most of her block is single family. She also was concerned about her gravel alley.

Don Bice, Community of Christ Church, across the street to the west of the site, said he had no issues with the rezoning, but expressed his concerns with the project's impact on eliminating parking for the church along N. 4<sup>th</sup> Street.

Morse asked about the size of the congregation. Bice said they have fluctuated but are currently small with about ten or more members.

Morse closed the public hearing.

Ott discussed the traffic study that was done and the details of the McCall extension. Ott then explained the intent of the round-a-bout in regards to lessening the severity of traffic accidents.

Morse said she would assume that the parking along N 4<sup>th</sup> Street after the McCall extension would be restricted. Ott agreed and pointed out that the applicant has dedicated future right-of-way for the extension and that a multi-use path was anticipated along the west side of N. 4<sup>th</sup> Street.

Morse said she anticipates the area to the north of the McCall extension to redevelop. She asked about making the alley to the west a dead-end alley.

Ott indicated that had been proposed to the neighborhood, but that the neighbors didn't want it restricted.

Ball moved that the Manhattan Urban Area Planning Board recommend approval of the proposed rezoning of Tract 1 from R-2, Two-Family Residential District, and Tract 2 from R-2, Two-Family Residential District with TNO, Traditional Neighborhood Overlay District, both Tract 1 and Tract 2 to C-5, Highway Service Commercial District, based on the findings in the Staff Report.

Reynard seconded the motion, which passed on a vote of 6-0.

Ball expressed his appreciation for the public comments and encouraged future involvement during the Comprehensive Plan update.

Morse echoed Ball's comments.

Ball moved that the Planning Board Approve a Variation of Article X, Subdivision Layout Standards Section 10-206 (C)(1), Standards for travel easements, (i.e. Travel easements shall only be allowed in Planned Unit Developments), and approve the Preliminary Plat and Final Plat of the MCD Addition, City of Manhattan, Riley County, Kansas, based on conformance with the Manhattan Urban Area Subdivision Regulations, with the one condition of approval recommended by City Administration:

1. A separate application to rezone a portion of the MCD Addition shall be approved.

Reynard seconded the motion, which passed on a vote of 6-0.

### **FLOODPLAIN WORK SESSION AGENDA**

Bunger presented an overview of the future conditions mapping, depth grids and higher standard floodplain regulations. He then answered questions from the Board.

Kratochvil expressed his concerns with the proposed regulations and commented on the necessary processes to implement these changes.

Bunger stated that staff from Public Works, the Fire Department and Riley County is meeting every two weeks on average to discuss the details. Bunger then said that future plans include a mitigation element.

Kratochvil asked about how improvements to the levee would affect the new regulations. Bunger explained that areas would be studied and possibly updated to reflect that they are protected by levees.

Ball asked if the staff has looked at how the new regulations would impact the undeveloped land around Manhattan. Bunger replied that they have looked at it and there are a minimal number of parcels that would be impacted.

Bunger briefly explained how the new regulations would impact existing homes and that the National Flood Insurance Program is getting away from subsidizing flood insurance so costs are going to go up.

Ball expressed his concerns with the unintended consequences of the new regulations. Bunger replied that the staff has talked about where the happy medium is in regards to regulations and consequences.

Morse expressed her enthusiasm about where the staff is going with the new regulations and that she believes that the community needs to be progressive.

Anderson commended the staff on their efforts and asked about the decisions made for Wildcat Creek in regards to the new regulations. Bunger replied that those decisions were made with the best possible information we could have at the time and should be sufficient.

Cattell commented that another reason for the future conditions map is to at least provide more information to make decisions and this session is the first of many.

### **REPORTS AND COMMENTS BY BOARD MEMBERS**

Cattell updated the Board on the status of the comprehensive plan update.

Respectfully submitted,

Chase Johnson, Planning Intern